CLASSIFICATION OFFICE DECISION

Title of publication:	.thumbdata3--1967290299_embedded_1428.jpg
Other known title(s):	Not stated
OFLC ref:	1600753.006
Medium:	Computer Image File
Publisher:	Not stated
Country of origin:	New Zealand
Language:	Not stated
Applicant:	Commissioner of Police
Classification:	Unrestricted.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	08 November 2016
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	08 November 2016

Summary of reasons for decision:

The image file depicts a teenage girl wearing underwear. Her face is not visible in the image. The image does not contain any overtly sexual elements and therefore cannot be considered a "matter of sex" under s3(1) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act). Furthermore the subject is not "nude or partially nude" and therefore does not fall under s3(1A) of the FVPC Act. The image does not does not get through the "subject matter gateway" of s3(1) of the FVPC Act, nor does it deal with matters under s3A or s3B of that Act. The publication must therefore be classified as unrestricted. An unrestricted classification imposes no limitations on the right to freedom of expression as affirmed by the New Zealand Bill of Rights Act 1990.